

ED REGULATIONS

FOR THE

JAMES RIVER AND KANAWHA CANAL,

ADOPTED BY

THE BODY OF STOCKHOLDERS

AT THEIR

TENTH ANNUAL MEETING

IN DECEMBER 1844,

TOGETHER WITH

TABLES OF TOLLS AND DISTANCES.

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1845.

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POWER OF THE STOCKHOLDERS

TO MAKE

BY-LAWS, RULES AND REGULATIONS.

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[*Extract from the Act of the Legislature, entitled "An Act incorporating the Stockholders of the James River and Kanawha Company," passed March 16th, 1832.*]

§ 10. The stockholders, in general meeting, shall have power to make such by-laws, rules and regulations, not inconsistent with the constitution or laws of the land, as they may deem proper, for the well ordering of the affairs of the company, for the protection and preservation of their property, and for the maintenance of good order and good police among their officers, agents, servants and labourers, and among the boatmen and others who use their canal and other works.

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ADOPTION OF THE AMENDED REGULATIONS.

*At the Tenth Annual Meeting of the Stockholders of the James River and Kanawha Company, held at the Capitol in the City of Richmond, on the 14th December 1844:*

*Resolved*, That the body of "Amended Regulations for the navigation and management of the James River and Kanawha Canal," recommended by the president, with the approbation of the board of directors, be and they are hereby adopted instead of the "Regulations &c." adopted by the stockholders at their called meeting in July 1840; and that said amended regulations shall commence and be in force from and after the first day of January next.

*Resolved*, That the president and directors be and they are hereby authorized and requested to adopt from time to time such measures as shall be found necessary, in order to carry said amended regulations into effect according to their true spirit and intent.

Extract from the records.

SAM'L M'D. REID, *Chairman.*

W. B. CHITTENDEN, *Clerk.*

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# AMENDED REGULATIONS

FOR THE

NAVIGATION AND MANAGEMENT

OF THE

## JAMES RIVER AND KANAWHA CANAL.

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### REGISTRY OF BOATS.

1. The term "float," as used in the following rules and regulations, shall be construed to embrace every boat, vessel, raft or floating thing navigated on the canal, or moved thereon, under the direction of some person having the charge thereof; and in the case of a raft of lumber, which by this article is embraced in the term "float," all the provisions in the following rules and regulations which relate to the cargoes or lading of boats or floats, shall be deemed to apply to the lumber of which such raft is composed, as well as to the property conveyed thereon; and the term "master," as so used, shall be construed to apply to every person having, for the time, the charge, control or direction of any such float.

Float defined.

Master defined.

2. The owner or owners of every boat navigating the canal, except "river boats," so called, shall subscribe and deliver to the toll-gatherer, of whom the first clearance for such boat shall be demanded, a certificate, to be entitled a "Certificate of ownership," containing the name or names of such owner or owners, and his, her or their respective place or places of abode, the name of the said boat, and the name of some place as its hailing place, or the place where it is owned, and accompanied by a certificate from the inspector at Richmond, that said boat is canal worthy, and (if a freight boat) has been gauged.

Certificates of ownership.

3. If the owner or owners of the boat shall reside out of this state, the certificate of ownership shall be signed and delivered by the master of the boat as the owner thereof; and in case of a change of the master of such boat, the new

In case of non-resident owners.



master shall sign a new and proper certificate of ownership of said boat, and deliver the same to the toll-gatherer of whom he shall first require a clearance, accompanied by a like certificate from the inspector at Richmond, as is required by the last preceding article.

Expiry of registry.

4. Every registry of a boat shall expire at the end of three years from the date of the certificate thereof, and said boat shall not afterwards be cleared again, until a new registry thereof shall have been effected in like manner as on the first application for a clearance.

New registry.

Register of boats.

5. The president and directors shall cause to be made a register of all boats navigating the canal, which shall be kept with the books and papers in the secretary's office, and be open to inspection during office hours.

Register, how changed.

6. If any person or persons, residing within the state and claiming to be the owner or owners of a registered boat by a transfer from its former owner or owners, shall produce and deliver to the toll-gatherer at whose office the said boat was last registered, due proof of such transfer, and a "Certificate of change of ownership," signed by such claimant or claimants, and accompanied by a certificate from the inspector at Richmond, such as is required by the 2d article, the register of such boat shall be changed so as to correspond with such certificate of change of ownership.

Duty of toll-gatherers.

7. Every toll-gatherer receiving a certificate of ownership, or certificate of change of ownership, shall sign an acknowledgment of the receipt thereof, and deliver the same to the master of the boat, and shall *without delay* transmit the certificate so received, to the office of the company.

Name and hailing place not to be changed without authority.

8. Neither the name nor the hailing place of any registered boat shall be changed without the order of the president and directors, or of their authorized agent; and every owner of a boat who shall, without such order, change its name or hailing place from those stated in its certificate of ownership then in force, and every master who shall report such boat or apply for a clearance thereon at any toll-gatherer's office by a different name or hailing place than those so stated, shall, for every such offence, forfeit and pay to the company the penalty of eighteen dollars, and the toll-gatherer at whose office such boat shall have been reported, or a clearance thereon applied for, is charged with the collection of such penalty.

Penalty.

Owners of boats.

9. The person or persons specified in its certificate of ownership as the owner or owners of a boat, shall be deemed in law the true owner or owners thereof, for all the purposes of enforcing the collection of tolls, and the execution of the rules and regulations for the navigation and maintenance of the canal; and every boat or float navigating, or remaining in, the canal or any of its basins or pools, toge-

ther with all the component parts, furniture and tackle of said boat or float, shall be liable for every penalty incurred for a violation of said rules and regulations, by the owner, master, head man or any of the crew of said boat or float at the time of such violation, and every such boat or float, with all its component parts, furniture and tackle, may be taken and sold under execution for the collection of such penalty.

Boats and floats liable for penalties.

10. The president and directors shall cause to be transmitted from time to time to each of the several toll-gatherers, a certified copy of the register of boats in the secretary's office, and of the several changes made therein.

Copy of registers to be sent to toll-gatherers.

11. No two or more boats registered as having the same hailing place, shall have the same name.

Name and hailing place.

12. Every registered boat navigating the canal shall have its name and hailing place, corresponding with its certificate of registry then in force, painted in some conspicuous and permanent part of the outside of said boat, in letters of at least four inches in height.

To be painted on each boat.

#### GAUGE DOCKS AND INSPECTORS.

13. There shall be a gauge dock established at or near, and connected with, each toll-gatherer's office, and gauge docks established at such other points on the line as the president and directors may designate; of each of which gauge docks, an inspector, either special or *ex officio*, at the discretion of the president and directors, shall have the charge and management.

Gauge docks, where.

Inspectors.

14. Each gauge dock shall be furnished by the inspector at Richmond, at the cost of the company, with a sufficient number of gauge rods, of the description recommended by the late William Lake, principal assistant engineer, (in his "Report on gauging docks," published in the appendix to the sixth annual report;) all of which rods shall be graduated by the same scale.

Gauge rods.

#### GAUGING BOATS.

15. Every boat navigating the canal, and carrying freight (except river boats) shall immediately previous to its first registry, and immediately before every renewal of its registry after the same shall have expired, be taken into the gauge dock at Richmond for the purpose of being gauged or regauged by the inspector having charge thereof.

What boats to be gauged, and when.

16. Every boat before entering said gauging dock for the purpose of being gauged, shall be cleared of every article on board except its fixtures, necessary furniture and tackle, and of every person on board, and as nearly cleared of water

Boats to be cleared before being gauged.

as is practicable with ordinary care and pains, and the inspector and his assistants shall use all possible vigilance to see that this is done before the boat is gauged. And the inspector shall have power to take up or perforate any portion of the inside flooring of a boat for the purpose of ascertaining whether or not there is water in said boat.

Gauge plates to be affixed on boats.

17. Previous to gauging the boat, the inspector shall affix upon its upper and outer edges three pairs of metallic plates—the two plates constituting a pair being placed on opposite sides of the boat, and one pair being placed at the centre, another forward and the other aft—on which plates the arms of the gauge rods are to be placed both in gauging the boat at first, and in ascertaining the weight of its cargo afterwards. The position of these plates, or either of them, shall on no account be changed; and the master or owner of any boat or float who shall suffer said plates to be removed, or their position to be changed, shall forfeit and pay to the company the penalty of eighteen dollars; and the toll-gatherer who shall first discover, or be informed that the position of said plates, or either of them, has been changed, is charged with the collection of said penalty.

Not to be disturbed. Penalty.

Boats, how gauged.

18. The inspector at Richmond shall gauge and regauge boats in the manner recommended in the report of Mr. Lake mentioned in article 14, making a gauge register of the readings of the indices of the gauging rods for each quarter of a ton of the capacity of such boat or float, from 0 to 10, and for each half ton from 10 to 20, and for each ton from 20 to the maximum tonnage of said boat or float, and stating on said gauge register the accurate measure of the water in said boat or float when so gauged.

Boats to be regauged.

19. It shall be the duty of the inspector at Richmond to regauge, in the manner prescribed in the last preceding article, any boat or float, on application of the master or owner thereof, and on payment by him to the said toll-gatherer, of a sum hereafter to be fixed by the president and directors, as a fee for such service.

Boats may be required to be regauged.

20. Whenever an inspector shall have reason to believe that the weight or condition of any freight boat navigating the canal has been so changed that the use of the gauging rods and its gauge-register indicate the weight of its cargo to be materially less than the real weight thereof, he shall require the master of said boat to take the same to the gauge dock at Richmond to be regauged; and immediately give notice of such requisition to the several toll-gatherers and superintendents of repairs—of whom, the former shall refuse, afterwards, to clear said boat, and the latter shall cause the lock-keepers to refuse to pass said boat through their respective locks, (except for the purpose of complying with such requisition,) until it shall have been regauged.



The duty of regauging said boat shall be performed by the inspector at Richmond, immediately on its arrival at his gauging dock for that purpose.

21. The inspector at Richmond, on gauging or regauging any boat or float, shall, without delay, make out and transmit a certified copy of the gauge register thereof, with the date of such gauging or regauging, to each of the other inspectors on the canal. Copies of gauge registers to be sent to the inspectors.

22. Whenever an inspector shall find any boat on the canal unfit for navigation, he shall give notice thereof to the several toll-gatherers and superintendents of repairs—of whom, the former shall refuse, afterwards, to clear said boat, and the latter shall cause the lock-keepers to refuse to pass it through their respective locks. Boats not canal-worthy.

#### BATTEAUX OR RIVER BOATS.

23. The president and directors are authorized to permit the use of batteaux or common river boats on the line of the improvement, for so long a time as, in their opinion, the use of such boats shall be necessary for the accommodation of the public, and under such special regulations as they may think reasonable and proper; and they are also authorized to exempt such boats from the regulations respecting the registry, naming and gauging of boats. Batteaux may be used. Shall be exempt from registry, &c.

#### SHIPPING PROPERTY.

24. With a view to facilitate the inspection of cargoes, the master of every boat or float navigating the canal and carrying freight, shall at all times have the lading of his boat or float so arranged that the portion thereof chargeable with toll at a rate less than three cents per ton per mile, may be conveniently seen and examined. Lading to be arranged for inspection.

25. Shippers of property which is contained in bundles, or in bags, crates, boxes or other vessels, shall be required to mark thereon the true gross weight of the same. Gross weight to be marked on bundles, &c.

#### BILLS OF LADING OR MANIFESTS.

26. Every master of a boat or float conveying property on the canal, shall, on receiving such property on board, cause to be made out a true bill of lading or manifest of such property, which shall be signed by himself and the consignor of the property, and shall contain— Bill of lading.

1. The name of the place on the canal (if at Richmond, Scottsville or Lynchburg, otherwise the number of the milestone nearest to the place) at which such property was shipped, and the place (or num-

ber of the milestone nearest to the place) at which it is to be discharged.

2. A specification of the species of property so shipped by said consignor, and of the quantity and gross weight of each species of said property.

Bill of timber.

27. Where a float consists of a raft or tow of timber, the person having charge of the same shall have in his possession a bill of said timber, answering to a bill of lading, signed by himself and the consignor of said timber, and stating the place or places at which said raft or tow, or any portion or crib thereof, was put afloat on the canal, and the place or places to which said timber shall be consigned or is to be cleared, and specifying the number of sticks and quantity of timber in each crib composing said raft or tow; and the various provisions in these regulations relative to bills of lading, shall apply in all respects to said bills of timber.

Its contents.

Bills of lading,  
to whom shewn.

28. Every bill of lading in the possession of the master of a boat or float shall be exhibited

1. To the toll-gatherer from whom a clearance for the boat or float shall be required;
2. To every other toll-gatherer and inspector at whose office the boat or float arrives in the course of its voyage, having on board the property manifested in said bill of lading;
3. To the keeper of every clearance lock through which the boat or float shall pass, having said property on board—

To whom delivered.

and at the close of the voyage, after the delivery of the cargo, the said bill of lading shall be delivered to the toll-gatherer next applied to for a clearance of the same boat.

Penalty for not  
delivering bill of  
lading.

29. Every master of a boat or float navigating the canal, who shall omit to exhibit or deliver a bill of lading to any toll-gatherer when required, shall forfeit and pay to the company a penalty of eighteen dollars; and the said toll-gatherer is charged with the collection of such penalty.

Penalty for de-  
livering false bill  
of lading.

30. Every person who shall sign, exhibit or deliver to any toll-gatherer a false bill of lading, shall, for every such offence, forfeit and pay to the company a penalty equal to three times the toll on the omitted property for the whole distance such property shall have been conveyed, or intended, according to such bill of lading, to be conveyed on the canal; and the toll-gatherer to whom such false bill of lading shall be delivered, is charged with the collection of such penalty.

#### INSPECTION.

Duty of shippers  
and masters.

31. *Declaratory note.* It is the duty of masters of boats and shippers of property to render, in their bills of lading,

a true account of the species and weight of the property received by the former and shipped by the latter; and they are responsible for the correctness of their bills of lading. The object of inspection is not to aid shippers and boatmasters in making out true bills of lading, but to detect errors and falsehoods in them, if any, after they are made out and delivered to the proper officer, with a view to prevent frauds on the revenue of the company.

32. The master of a boat, having his lading for a voyage on board, shall take his boat into the gauge dock connected with the office of the toll-gatherer to whom he is about to apply for a clearance, and deliver to the inspector having charge of said dock, all his bills of lading.

Object of inspection.

Loaded boats to be taken to gauge dock.

Bills of lading to be delivered to inspector.

33. The inspector, on receiving said bills of lading, shall ascertain by actual view whether the various articles manifested therein, which are chargeable with toll at a rate less than three cents per ton per mile, are all on board. If the cargo is not so arranged as to facilitate this examination, (as required by article 24,) he shall require the master of the boat, at his own expense, to unlade and reshipe the said cargo, promptly, in whole or in part, as may be necessary for the purpose of inspection. If the master refuses to comply with this requisition, he shall forfeit and pay to the company a penalty of eighteen dollars, to be collected by the toll-gatherer with whose office the said gauge dock is connected, and the inspector shall himself overhaul or unlade the cargo, in whole or in part, as may be necessary for the purpose aforesaid.

Inspector's duties.

Shall compare cargo with bills of lading.

Shall require cargo to be arranged for inspection.

Penalty for refusal.

If on such examination the inspector shall find missing any manifested article chargeable with toll at a rate less than three cents per ton per mile, he shall note the fact on the bill of lading in which it is manifested. If he shall find on board any article not contained in any bill of lading, he shall inform the toll-gatherer of the fact, in writing.

Shall note missing articles.

He shall also, by the use of his gauge rods and the gauge register of the boat, ascertain the actual weight of the cargo, and endorse a certificate of the same on a blank clearance; but in no instance shall he disclose said weight to the master or any of the crew of the boat.

Shall ascertain weight of cargo.

He shall then deliver to the toll-gatherer with his own hands the blank clearance so endorsed, together with the several bills of lading, and written information of the penalty, if any, incurred by the master under this article, or enclosing them under lock and key in a small portable box to which the toll-gatherer has also a key, he shall send them to the toll-gatherer by a messenger other than the master or any of the crew of the boat; and thereupon shall dismiss the boat from the gauge dock.

Shall deliver boat's papers to toll-gatherer.

34. The master of a boat carrying freight, on arriving in the course of his voyage at a gauge dock, shall without de-

Loaded boats shall go into every gauge dock.



lay take his boat into said dock for the purpose of having the cargo inspected, and shall deliver all his boat's papers to the inspector; and for failure to do so, he shall forfeit and pay to the company the penalty of eighteen dollars, with the collection of which the toll-gatherer at, or nearest to, that place, is charged.

Penalty.

Inspectors shall examine cargo by bills of lading.

Arrangement of cargo for inspection.

Penalty for refusal.

35. The inspector on receiving said papers, shall examine the cargo, and ascertain whether it corresponds with the bills of lading so delivered to him. If the cargo is not so arranged as to facilitate this examination (as required by article 24), he shall require the master of the boat, at his own expense, to unlade and reship the said cargo, promptly, in whole or in part as may be necessary for the purpose of inspection. If the master refuses to comply with this requisition, he shall forfeit and pay to the company a penalty of eighteen dollars, to be collected by the toll-gatherer at or nearest to that place, and the inspector shall himself overhaul and unlade the cargo in whole or in part as may be necessary for the purpose aforesaid; and also, without delay, notify the nearest toll-gatherer of the penalty thus incurred by the master.

Missing articles to be noted.

If on such examination the inspector shall find missing any manifested article chargeable with toll at a rate less than three cents per ton per mile, he shall note the fact on the bill of lading in which it is manifested.

Weight of cargo to be ascertained.

He shall also, by means of his gauge rods and the gauge-register of the boat, ascertain the actual weight of the cargo, and endorse a certificate of the same on the clearance, if any, or if there is no clearance, then on a blank clearance.

Boat's papers to be delivered to toll-gatherer.

Then, in case the said gauge dock is connected with a toll-gatherer's office, the inspector, without disclosing the actual weight of the cargo to the master or any of the crew of the boat, shall either deliver all the boat's papers (inclusive of the blank clearance endorsed as aforesaid, if any,) to the toll-gatherer with his own hand, or enclose them under lock and key in a small portable box to which the toll-gatherer has also a key, and send them to the toll-gatherer by a messenger other than the master or any of the crew of the boat; and thereupon shall dismiss the boat from the gauge dock.

Inspector's duty where there is no toll-gatherer.

But in case the said gauge dock is not connected with a toll-gatherer's office, then the inspector shall compute the amount of tonnage called for by the boat's papers, by adding to the actual weight of the cargo, if any, cleared at the commencement of the voyage, the aggregate weight of the property subsequently taken on board as manifested in the bills of lading of the same, and deducting the weight of the articles already delivered in the course of the voyage; and if the excess of the actual tonnage, as ascertained by the gauge rods and gauge register, over such computed ton-



nage, does not amount to one per cent. upon the weight of the cargo, he shall take no account of the difference. But if such excess shall amount to one per cent. or more on the weight of the cargo, he shall require the master of the boat to pay toll therefor at the highest rate per ton per mile in the tariff of tolls, for the whole extent of the voyage, and having received it, he shall receipt the same on the clearance. He shall also require the master of the boat to pay toll at the highest rate in the tariff of tolls, for the whole extent of the voyage, on the weight of all articles chargeable with toll at a rate less than three cents per ton per mile, which are called for by the bills of lading but are not on board (deducting, however, the tolls already paid on said articles), and shall give a receipt therefor on the clearance.

Shall collect toll on over weight.

And on missing articles, &c.

Moreover, if, by the boat's papers, all the property on board is to be discharged short of the next toll-gatherer's office in the direction of the voyage, the inspector shall require toll on all property and passengers on board not already cleared, to be paid to himself, and he shall take in the original clearance and issue to the master a certified copy thereof with a receipt for all moneys paid to him by the master, endorsed thereon.

Toll on uncleared property, when to be paid to inspector.

But if, by the boat's papers, any portion of the cargo is destined to be carried as far as the next toll-gatherer's office in the direction of the voyage, he shall enter in a register all the articles and passengers on board not already cleared, and issue to the master an *inspector's ticket* therefor, in a form to be furnished by the secretary of the company. If on a previous voyage of the boat he shall have issued to the master an inspector's ticket, and the said boat shall have been subsequently at a place where there is a toll-gatherer's office, the inspector shall require such ticket to be returned to him, endorsed with a toll-gatherer's receipt for the toll on the property and passengers mentioned therein, or a certified copy of said ticket and of the endorsed receipt, issued by a clearance lock-keeper.

Inspector's ticket when to be issued.

Inspector's ticket for previous voyage, to be returned.

When the master of the boat shall have complied with all the regulations applicable to his case, the inspector, retaining the original clearance when it is required to be taken in as above provided, shall return to the master the residue of the boat's papers, together with a *permit* to pass the locks, issued by himself, and thereupon shall dismiss said boat from the gauge dock.

Inspector's permit.

36. The inspectors shall have power, whenever it is necessary, to detain boats long enough to afford an opportunity to inspect their cargoes by daylight.

Inspectors may detain boats, &c.

37. At the close of every month, each inspector shall transmit all the tolls and other moneys of the company collected by him during the month, together with a statement

Inspectors shall transmit tolls, &c. to toll-gatherer.

shewing from whom and for what they have been collected, to the toll-gatherer at Richmond, taking his receipt therefor; and at the same time he shall transmit to the secretary all the clearances, inspector's tickets and bills of lading taken in by him during the month.

And papers to  
the secretary.

#### TOLL-GATHERERS' OFFICES.

Where located.

38. There shall be a toll-gatherer's office at Richmond, at Lynchburg, and at such other points on the canal as the president and directors shall designate.

#### CERTIFICATES AND CLEARANCES.

Certificates, definition of.

39. A *certificate* is a statement of the cargo or part of the cargo of a freight boat for a particular voyage on the canal, made up by a toll-gatherer from its papers received from the inspector, (as provided in articles 33 and 35,) and from the master's way-bill of passengers, recorded in a certificate book kept in a toll-gatherer's office, and attested by the signature of the master or head man of the boat.

Kinds of.

Certificates are of two kinds, *primary* and *supplementary*.

Primary certificate, contents of.

40. A primary certificate is one that is made up at the commencement of a new voyage of a freight boat, and contains :

1. A memorandum of the toll-gatherer's office at which it is made; the number of the certificate, (in a series embracing both kinds of certificates, commencing with the first and ending with the last day of each year;) the name of the boat and its hailing place, (corresponding with its registry, if a registered boat,) and the name of the master thereof for that voyage, or the name of the owner and head man, if a river boat.
2. A specification, in tabular form, of the quantity and manifested weight of each species of freight on board, the place where each portion was shipped and where it is to be discharged, the distance which it is to be carried, the rate of toll chargeable, and the amount of tolls due thereon.
3. The footing of the column of the certificate containing the manifested weights of the several articles which compose the cargo, as made up from the bills of lading.
4. An entry of the actual weight of the cargo as ascertained and certified by the inspector, and of the excess, if any, of the actual weight over the footing of the column of manifested weights aforesaid.

5. An entry of such excess, (if amounting to one per cent. on the footing of the column of manifested weights aforesaid,) charged with tolls at the highest rate in the tariff of tolls, for the whole length of the voyage.
  6. An entry of all articles contained in any of the bills of lading, but found by the inspector to be not on board, charged, by their manifested weight, with toll at the highest rate in the tariff of tolls, for the whole length of the voyage, *less* the toll with which they may have been already charged according to the bills of lading.
  7. An entry of the number of persons, if any, who shall have taken passage on the boat for that voyage, of the aggregate number of miles which they are to be carried, and the rate and amount of toll chargeable thereon.
  8. The footing of the column of amounts of tolls, shewing the aggregate amount to be paid to the toll-gatherer before the boat can be cleared.
  9. A note at the bottom, or in the margin, stating the number of bills of lading from which the certificate is made up.
  10. The signature of the master or head man of the boat.
41. A supplementary certificate is one that is made up by the toll-gatherer at whose office a freight boat arrives in the course or at the close of its voyage, having freight and passengers on board not already cleared, and contains:
1. A memorandum of the toll-gatherer's office and date at which it is made; the number of the certificate, (in a series embracing both kinds of certificates, commencing with the first and ending with the last day of each year;) the name of the boat and its hailing place, (corresponding with its registry, if a registered boat,) and the name of the master thereof for that voyage, or the name of the owner and head man, if a river boat.
  2. A specification, in tabular form, of the quantity and manifested weight of each species of property on board not already cleared, the place where each portion was shipped and where it was, or is to be, delivered, the distance which it was, or is to be, carried, the rate of toll chargeable, and the amount of tolls due thereon.
  3. The footing of the column of the certificate containing the manifested weights of the several articles entered in the certificate, as manifested in the bills of lading, and a computation of the weight of

Supplementary  
certificate, con-  
tents of.



the cargo by adding to said footing the actual weight of the cargo cleared at the commencement of the voyage, and deducting the weight of the articles already delivered in the course of the voyage.

4. An entry of the actual weight of the cargo as ascertained and certified by the inspector, and of the excess, if any, of the actual over the computed weight found as above.
5. An entry of such excess, (if amounting to one per cent. on the computed weight of the cargo,) charged with tolls at the highest rate in the tariff of tolls, for the whole length of the voyage.
6. An entry of all articles contained in any of the bills of lading, but found by the inspector to be not on board, charged (provided they have not already been so charged,) by their manifested weight, with toll at the highest rate in the tariff of tolls, for the whole length of the voyage, *less* the toll with which they may have been already charged according to the bills of lading.
7. An entry of the number of persons, if any, who shall have taken passage on said boat since it was cleared at the commencement of the voyage, of the aggregate number of miles which they have been, or are to be, carried, and the rate and amount of toll chargeable thereon.
8. The footing of the column of amounts of tolls, shewing the aggregate amount to be paid to the toll-gatherer before the boat can be allowed to proceed on her voyage, or unlade any portion of her cargo, or to make a return voyage.
9. A note at the bottom, or in the margin, stating the number of bills of lading, inspector's tickets, and clearance lock-tickets, from which the certificate is made up.
10. The signature of the master or head man of the boat.

Clearance, definition of.

42. A clearance is a specification of the cargo or part of the cargo of a boat, and a receipt for the tolls thereon. It is a transcript from the certificate of the same cargo or part of the cargo, with certain necessary changes in the caption, and with the omission of the master's signature. It is to be made on a separate piece of paper, (that is to say, on the "blank clearance") endorsed with the inspector's certificate of the actual weight of the cargo, or of the part of the cargo, for which the clearance is made out, (as provided in articles 33 and 35,) and must have the toll-gatherer's receipt subjoined, for the aggregate amount of tolls due thereon.



A clearance is either *primary* or *supplementary*, corresponding with the certificate of which it is a transcript; but a supplementary clearance is never to be issued after the close of a voyage, and can only be issued by a toll-gatherer whose office is situated at some point on the canal other than at one extremity thereof.

43. No clearance shall be issued by a toll-gatherer until the aggregate amount of tolls therein stated, shall have been paid to him. Not to be issued until toll paid;

44. No clearance shall be granted to any canal boat, unless the toll-gatherer of whom it is required shall have evidence that such boat is duly registered; nor shall any such boat receive a clearance, or be permitted to pass on the canal, unless it shall have its name and hailing place painted on it as required by article 12. Nor unless the boat is registered; And has its name painted on outside;

45. No boat shall be cleared until its cargo and bills of lading shall have been examined, and the weight of its cargo ascertained by the inspector as provided in these regulations. Nor unless cargo, &c. has been inspected.

46. Each boat or float navigating the canal shall have a separate clearance, and every toll-gatherer is required to give a separate clearance for every boat or float clearing at his office. Separate clearances.

#### COLLECTION OF TOLLS AND CLEARANCE OF BOATS.

47. *At the commencement of a boat's voyage.* The toll-gatherer, having received a boat's papers from the inspector, with his certificates and notes thereon, as provided in article 33, and having also received from the master his inspector's tickets, clearance lock tickets and bills of lading for the previous voyage, if any, and a way-bill of the number of persons who have taken passage on his boat for the intended voyage, with the aggregate number of miles which they are to be carried, and being satisfied that all the prerequisites to the clearance of said boat have been complied with, shall proceed to make up a primary certificate of the cargo in his certificate book in manner and form prescribed in article 40, which certificate shall be signed by the master of the boat for the intended voyage. This being done, and the toll-gatherer having received the amount of tolls due by said certificate, he shall issue a primary clearance of the boat as described in article 42, and thereupon, having marked upon each of the papers from which the certificate is made up, the number of such certificate, and the place where it is so made up, he shall return the same to the master of the boat, with the inspector's tickets and clearance lock tickets, if any, for the previous voyage, endorsed with his receipt for the toll due on the property and passengers embraced Toll-gatherer's duties. Primary certificate, when to be made up. Primary clearance, when to be issued. Boat's papers, when returned.

therein, and the number of the certificate in which said toll was included.

Arrival of loaded boat to be reported to toll-gatherer.

48. *In the course or at the close of a boat's voyage.* Within twenty-four hours after a freight boat with freight on board shall have passed the clearance lock next previous, in the course of the voyage, to its arrival at a toll-gatherer's office, and previous to the unloading of any portion of the cargo, the master of the boat shall report its arrival at said office; and for failure to do so, he shall forfeit and pay to the company a penalty of fifty dollars, with the collection of which the toll-gatherer is charged.

Penalty for failure.

Toll-gatherer's duties.

The toll-gatherer having received the boat's papers from the inspector, as provided in article 35, and having also received from the master of the boat a way-bill of the number of persons who shall have been taken on board of said boat as passengers in the course of the voyage, and not stated in the boat's clearance, if any, with the aggregate number of miles which they have been, or are to be carried, shall proceed to make up from said papers a supplementary certificate in manner and form prescribed in article 41, including the freight and passengers stated in the inspector's tickets and clearance lock tickets, if any; which certificate shall be attested by the signature of the master. He shall also mark on all the papers from which the certificate is made up, the number of said certificate and the place where it is so made up.

Supplementary certificate, when to be made up.

Number of certificate to be marked on boat's papers.

Primary clearance, when to be taken in.

This being done, and the toll-gatherer having received the aggregate amount of tolls shewn by said certificate to be due, he shall retain the primary clearance, and return to the master the residue of the boat's papers, having first endorsed on the inspector's ticket and clearance lock ticket, if any, a certificate that the toll on the freight and passengers mentioned therein, respectively, has been paid, with a note of the amount of such toll and the number of the certificate in which it is included: *Provided, however,* That if the boat is to proceed on beyond said toll-gatherer's office, the toll-gatherer shall also issue to the master a supplementary clearance as described in article 42, together with a certified copy of the primary clearance retained as aforesaid.

Supplementary clearance, when to be issued.

Fractions under a half mile.

49. In charging toll for the distance which articles are transported on the canal, all fractions of a mile under one half, shall be rejected, and all fractions over a half mile shall be rejected and only the half mile charged.

Toll on articles packed in vessels, &c.

50. Whenever different articles are packed in a hogshead, box, crate, bag or other vessel, without being particularly designated by name in the bill of lading, they shall be charged with toll at the highest rate in the tariff of tolls.

Copy of clearance to be given.

51. Every toll-gatherer shall, whenever requested, give a certified copy of any clearance issued by him, or on file in

his office, with the endorsements thereon, or of any certificate in his certificate book; for which he shall be entitled to demand and receive from the person applying for the same such sum as the president and directors may hereafter determine; and such certified copy shall have the same validity and effect as the original clearance or certificate of which it is a copy. Fees therefor.

52. No property cleared to any point on the canal shall be transported beyond that point; and the master of any boat violating this prohibition, shall, for every such violation, forfeit and pay to the company a penalty equal to three times the amount of the toll on said property for the distance which it is so transported beyond the point to which it was cleared, and the toll-gatherer who shall first be cognizant of said violation, is charged with the collection of such penalty. Property not to be carried further than it is cleared. Penalty.

53. When the destination of any property transported on the canal shall depend upon a contingency at the time of its shipment, the bill of lading shall be made out for the farthest point to which it may possibly be carried. And if previous to its discharge the boat or float transporting it shall arrive at a place where, by these regulations the tolls on such property are required to be paid, they shall be paid to such farthest possible point of destination; and if a clearance be taken thereon, it shall be to such point; but if such property be discharged short of said point, the toll-gatherer who shall have received said toll is authorized to refund the same for the distance such property was paid for but not transported: *Provided*, That a satisfactory affidavit or affidavits of the facts shall be delivered to him, to be placed on file with the voucher for the toll refunded. Property of doubtful destination. Tolls thereon to be paid to farthest point. But may be refunded, &c.

54. Whenever, in consequence of injury received, or of the navigation being obstructed by ice or other cause, a boat or float shall be unable to proceed to the point to which it shall have been cleared, the toll-gatherer next in order towards such point, is authorized to refund the toll for the distance cleared and not navigated: *Provided*, That the original clearance of said boat or float shall be surrendered, and a satisfactory affidavit or affidavits of the facts be delivered to him to be placed on file with the voucher for the toll refunded. Tolls, when to be refunded.

55. Each toll-gatherer, on receiving, officially, any tolls collected by other officers, or any penalties, fees or other moneys of the company other than tolls, shall make an entry of the same in his certificate book, stating the amount received, and at what date, from whom, and on what account it was received. Tolls, fees, penalties, &c. to be entered in certificate books.

56. The tolls, penalties, forfeitures and fees received by each toll-gatherer each day, shall be daily deposited by him Daily deposits of tolls, &c. required.



to the credit of the company, with the Bank or Branch Bank of Virginia at the place where his office is situated, if there be such bank or branch bank at that place; if not, they shall be deposited with such other bank, individual, or commercial house at said place, as the president and directors may designate.

Weekly returns  
by toll-gatherers.

57. On the 8th, 15th, 23d and last days of each month, (or on the Saturday previous when either of said days is Sunday,) each toll-gatherer shall transmit to the secretary of the company (by mail if at a distance) a return of his daily collections and deposits of tolls, penalties, &c. since his next previous return.

Certificate books  
to be returned to  
company's office.

58. Each toll-gatherer out of Richmond, whenever he shall have filled a certificate book with certificates, shall, without unnecessary delay thereafter, transmit the same to the secretary of the company.

Monthly returns  
by toll-gatherers.

59. At the close of every month, each toll-gatherer shall transmit to the secretary of the company, without delay,

*First*, A CLASSIFIED STATEMENT of the aggregate amount of tolls received by him during the month, and of the tonnage on which it was received, under each rate of toll in the tariff; and to enable him to do so promptly, he shall keep a daily register in a tabular form, of such tolls and tonnage:

*Second*, A MONTHLY ABSTRACT, in a tabular form, setting forth the number of each certificate (marked P. or S. according as such certificate is primary or supplementary) made up in his office each day during the month, the name and hailing place of the canal boat, or the names of the owner and head man of the river boat for which said certificate is made up; the names of the places *from* and *to* which it was bound; and the tonnage of the cargo and toll thereon, arranged in columns under the heads of "down-loads" and "up-loads:"

*Third*, A MONTHLY ACCOUNT of his daily collections of tolls, penalties and fees, and daily deposits or disbursements, if any, of the same, during the month:

*Fourth*, All the clearances, bills of lading, way-bills of passengers, and monthly statements of passengers taken in by him during the month, and copies of all the supplementary certificates made up by him during the month, where corresponding clearances have not been issued by him.

#### CLEARANCE LOCKS.

Definition.

60. The second lock in either direction from a toll-gatherer's office, except in case of a special order of the president and directors, shall be called a *clearance lock*, and the keeper thereof a *clearance lock-keeper*.




61. No freight boat bound from the nearest toll-gatherer's office, shall pass a clearance lock until the master shall have exhibited to the keeper thereof a clearance, embracing all the property and passengers on board. When not to be passed without clearance.

62. On the arrival, at a clearance lock, of a freight boat bound towards the nearest toll-gatherer's office, the master shall exhibit all the boat's papers to the keeper of said lock; and if there be any property or passengers on board not already cleared or included in an inspector's ticket, the clearance lock-keeper shall enter the same in his register, and issue to the master a *clearance lock ticket* in a form to be furnished by the secretary of the company; and if there be among the papers an inspector's ticket, he shall note the fact on his register, and thereupon permit the boat to pass his lock; and on the return voyage of the boat, the clearance lock-keeper, before permitting it to pass his lock, shall require the said clearance lock ticket to be returned to him endorsed with a toll-gatherer's certificate, that the toll on all the property and passengers mentioned therein has been paid, and stating the number of the certificate in which said property, passengers and toll are included; and, in case there was also an inspector's ticket for any portion of the cargo, then on said return voyage the clearance lock-keeper shall require the same to be delivered to him endorsed with a toll-gatherer's certificate, such as is above required on a clearance lock ticket; and retaining such inspector's ticket, he shall issue to the master a certified copy of the same, and of the toll-gatherer's certificate aforesaid, endorsed thereon. Boat's papers to be exhibited to keeper. Clearance lock ticket. Requisites on return voyage of a boat.

63. At the close of every month, each clearance lock-keeper shall transmit to the secretary of the company all the clearance lock tickets and inspector's tickets which shall have been taken in by him during the month. Tickets to be returned to secretary monthly.

#### TOLL ON PASSENGERS.

64. All persons carried one mile or more on a boat navigating the canal, except the master and crew of the boat for the time, shall be deemed passengers on said boat. All such passengers, except officers, agents and labourers of the company necessarily travelling in its service, and children under five years of age, shall be subject to the toll prescribed by the tariff of tolls, payable by the master of the boat.  By the term *passengers*, when used in these regulations elsewhere than in this section, are meant passengers so subject to toll. Passengers. Passengers subject to toll.

65. All boats in respect to their passengers, and the payment of tolls thereon, shall be divided into the following classes: Classification of boats carrying passengers.

1. *Manifesting boats*, being all such as do not belong to the 2d and 3d classes.

2. *Monthly-stating boats*, being those whose masters are entitled to settle the tolls on the passengers carried thereon, by monthly statements of such passengers at the close of each month.
3. *Commuting boats*, being those freight boats whose masters or owners may hereafter commute for the tolls on the passengers carried thereon, by the payment of a specified toll on the boats themselves.

### *Manifesting Boats.*

Way bills of passengers.

To whom exhibited and delivered.

Toll on passengers how, when and to whom paid.

Penalties.

66. The master of every manifesting boat, on receiving passengers on board, shall enter in a manifest or way-bill, their names, (discriminating such as are chargeable with different rates of toll,) the places of their embarkation and debarkation, and the distances which they are to be respectively carried. He shall exhibit this way-bill to the toll-gatherer clearing his boat, and to the several inspectors, clearance lock-keepers and other toll-gatherers on the line, and, after the close of the voyage, deliver it to the toll-gatherer to whom he next applies for a clearance. He shall pay the prescribed toll on the passengers carried on his boat to the same officers, at the same times, and in the same manner as by these regulations he is required to pay toll on property under like circumstances shipped and conveyed on his boat. And for failure to exhibit or deliver a way-bill of his passengers to a toll-gatherer when required, or for the exhibition or delivery to a toll-gatherer, of a false way-bill of his passengers, he shall be subject to the same penalty, to be collected by the same officer, as is prescribed in these regulations in the cases of an omission to exhibit or deliver a bill of lading of property to a toll-gatherer when required, and of the exhibition or delivery to a toll-gatherer of a false bill of lading of property.

### *Monthly-stating Boats.*

What boats may belong to the class.

Certificate of election.

67. A boat which is intended to navigate the canal day and night, or which belongs to any regular line of packet or freight boats, may be a monthly-stating boat. To constitute it such, its master or owner, if it does not belong to a line, or the owner or agent of the line to which it belongs, shall deliver to some toll-gatherer on the canal, a *certificate of election* signed by such master, owner or agent; which certificate shall state that the said boat is to navigate the canal day and night, or belongs to a certain regular line of packet or freight boats (designated by name), as the case may be, that the party executing such certificate, elects to settle for tolls on passengers by monthly statements, and

that the master of said boat will make to a designated toll-gatherer (whose office shall be on the part of the canal where the boat is intended principally to run) monthly statements of the passengers carried on said boat, and pay tolls thereon to said toll-gatherer.

68. The toll-gatherer to whom such certificate shall be delivered, shall give to the master, owner or agent delivering it, a written acknowledgment of the receipt thereof, signed by himself, and stating the toll-gatherer's office to which such certificate shews that the monthly statements of passengers on said boat are to be made; and he shall forthwith transmit to the secretary of the company the certificate so delivered to him.

Receipt of certificate to be acknowledged.

Certificate to be sent to secretary.

69. The master of every monthly-stating boat shall, immediately after the close of each month, deliver to the toll-gatherer designated in the certificate of election for such boat, (and to none other, unless by special permission from the president and directors,) a statement of all the passengers carried on said boat during said month, with the distance they were respectively carried, (and, if hereafter required by the president and directors, the places of their respective embarkation and debarkation,) and shall verify such statement under oath, to be administered by some properly qualified officer, and at the same time shall pay to the said toll-gatherer the prescribed tolls due on said passengers; or, in case no passenger shall have been carried on said boat during said month, the master thereof shall present to the said toll-gatherer an affidavit of the fact, sworn to before some properly qualified officer.

Monthly statements of passengers.

Tolls due thereon to be paid.

Affidavit if no passengers carried.

70. If different persons have been masters of the same monthly-stating boat for different portions of the same month, each of them shall furnish a statement of passengers carried, or an affidavit if no passengers carried, (as the case may be,) and pay the tolls, if any, on the passengers carried on said boat during such portion of said month as he was master of said boat.


Statements or affidavits by different masters.

71. The master of every monthly-stating boat who shall not, within ten days after the close of a month, deliver to the proper toll-gatherer the verified statement or affidavit required by articles 69 and 70, or pay to him the tolls due on the passengers carried on his boat during said month, shall forfeit and pay to the company a penalty of one hundred dollars, to be collected by said toll-gatherer; and it shall moreover be in the option of the president and directors, by resolution, not only to prohibit said boat from receiving a clearance and navigating the canal until such statement or affidavit be presented and such tolls paid, but to deprive said boat, and the line of boats to which it may belong, of the privilege of settling tolls on passengers by

Penalty for not delivering monthly statement or affidavit.



monthly statements, and thereby to place said boat and line of boats in the class of manifesting boats.

[ Whenever the state of travel on the line shall, in the estimation of the president and directors, make it expedient to introduce a system of commutation of the tolls payable upon passengers in freight boats for equivalent tolls to be levied in lieu thereof upon the boats themselves, the following shall be the regulations in relation to such commutation:]

### Commuting Boats.

What boats may, and may not commute.

72. The privilege of commuting for tolls on passengers shall not extend to packet boats, or boats chiefly used for the transportation of passengers, and shall include only such boats as are used chiefly for the transportation of property, but have accommodations for the carriage of passengers, as incidental to their business of carrying freight. No boat belonging to any line of boats shall be allowed to commute, unless all the other boats in said line shall already be commuting boats, or shall be constituted such along with said boat. No boat which shall be owned in whole or in part, or navigated by persons interested as owners or agents, or in the employ of owners or agents, of any other single boat or line of boats, or which shall be towed or propelled by horses, mules, tug-boats or other motive agents which tow or propel any other single boat or line of boats, shall be allowed to commute, unless such other single boat or line of boats shall have already commuted, or shall at the same time be allowed to commute.

The commutation.

73. The commutation shall be a certain toll per mile upon a commuting boat, whether empty or loaded, to be fixed by the president and directors; which toll shall be paid by the master to a toll-gatherer, at the commencement of each voyage, for the whole length of said voyage.

Commutation bond to be given.

74. In order to entitle a single boat or line of boats to the privilege of commuting, the master or owner of said single boat, or the owner or agent of said line of boats, shall execute and deliver to a toll-gatherer, a *commutation bond*, substantially in such one of the following forms as shall be applicable to the case.

#### [Form of Commutation Bond for a Single Boat.]

Form of, for single boat.

"I, A. B. (master or owner, as the case may be,) of the canal boat \_\_\_\_\_ of \_\_\_\_\_, navigating the James river and Kanawha canal, in consideration of being exempted from the liability to render waybills or monthly statements



of passengers carried by said boat, and to pay the established tolls on said passengers, do hereby agree to pay toll upon said boat at the rate of            cents per mile for every mile it shall run on said canal, so long as this agreement shall be in force, in conformity with the regulations for said canal; and I do hereby declare that said boat does not belong to, and is not intended, so long as this agreement shall be in force, to run in any line of boats on said canal. Witness my hand and seal, this            day of            in the year            .”

[*Form of Commutation Bond for a Line of Boats.*]

“I, A. B. (agent, or [a] proprietor, as the case may be,) Form of, for a line of boats. of the            line of freight boats navigating the James river and Kanawha canal, do hereby declare the following to be a true list of all the boats belonging to said line, to wit:”

[Here insert the full registered name and hailing place of each of the boats belonging to the line.]

“And I do further declare that as (agent, or [a] proprietor, as the case may be,) of said line, I am not, nor to my knowledge are the [other] proprietors of the said line, or either of them, either directly or indirectly interested in any line of boats, or any single boat, either running, or to run, upon said canal, which has not commuted for tolls on passengers carried on said boats: And I hereby promise and agree for myself and the [other] proprietors, that neither of us will become so interested as aforesaid during the continuance of this agreement, without giving notice thereof to the president and directors. And I do hereby for the proprietors of said            line of boats, in consideration that the masters of the several boats belonging to the said line, shall be exempted from the liability to render way-bills or monthly statements of the passengers carried on said boats respectively, and to pay the established tolls on said passengers, hereby promise and agree that the master of each of said boats shall, during the continuance of this agreement, pay toll on said boat at the rate of            cents per mile for every mile it shall run on said canal, in conformity with the regulations for said canal. And I do further declare that I am fully authorized to make the foregoing agreement for and in behalf of the said            line of boats. Witness my hand and seal, this            day of            in the year            .”

75. The toll-gatherer receiving a commutation bond in conformity with the last preceding article, shall issue to the person from whom he receives the same, a *commutation license* for each boat named in such bond, in substance as follows, to wit: Commutation license to be issued.

“I            , toll-gatherer at            , do hereby acknowledge to have received from A. B., (master, agent or owner, Form of.

as the case may be,) a commutation bond, such as is required by the regulations for the James river and Kanawha canal, in relation to the commutation for tolls upon passengers; and that by virtue of the said regulations and of the said commutation bond, the boat of is to be charged with toll at the rate of cents per mile for every mile it shall run on said canal, and is to be exempted from the payment of tolls upon passengers carried thereon, and from rendering way-bills or monthly statements of such passengers.

Boats not to commute without license.

76. No boat shall be taken into, or allowed to run in, any line of commuting boats, until a commutation bond be delivered, and a commutation license issued, for said boat, as prescribed in the two last preceding articles.

May be exempted from commutation.

77. On satisfactory proof exhibited to the president and directors, that any commuting boat has been sold, and is no longer connected with a line of commuting boats, they may allow such boat to be exempted from commutation.

Commutation bond may be cancelled.

78. On application by the master or owner of any single commuting boat, or the agent or a proprietor of any line of commuting boats, accompanied by satisfactory proof that the commutation for such single boat, or line of boats, has been fully paid up to the time of such application, the president and directors may order the commutation bond of said master, agent or proprietor, to be cancelled; whereupon the boat or boats named in said bond shall no longer be subject to the duties, or entitled to the privileges, of commuting boats.

Commutation license may be revoked.

79. If the president and directors shall at any time be satisfied that the proprietors of any commuting boat or line of commuting boats, or any of them, are interested in any single boats or line of boats which have not commuted for tolls on passengers, they may in their discretion revoke the commutation licenses which shall have been granted to said boats respectively; whereupon said boats shall no longer be subject to the duties, or entitled to the privileges, of commuting boats.

Duties of officers with respect to commuting boats.

80. The secretary of the company shall keep the several toll-gatherers, inspectors and clearance lock-keepers informed of the boats on the canal, which belong to the class of commuting boats; and those officers, in respect to the payment of the commutation on said boats, whether empty or laden; shall themselves observe, and require the masters of said boats to observe, the several regulations herein prescribed with respect to the payment of tolls on the cargoes of said boats.

#### POLICE OF THE CANAL.

Method of propelling boats allowed.

81. Boats and floats may be propelled on the canal by towing-lines drawn by men, horses or other agents moving

or acting on the towing-path; the canal having been originally designed with a view chiefly to the accommodation of boats and floats so propelled. Moreover, the president and directors are authorized to permit (under such restrictions as will prevent injury to the canal and interruption or inconvenience to other boats,) the use of boats or floats moved on the canal by paddles or other agents acting on the water in the canal, or by means of sails, or towed by tug-boats which shall themselves be towed by means of agents acting on the towing-path, or which shall be moved by paddles or other agents acting on the water in the canal or by means of sails.

Method allowable under restrictions.

82. No boat or float navigating the canal shall be propelled by means of setting-poles or other implements, machinery or agents acting on the bottom of the canal or on the inner slope of its banks; nor shall any boat or float use or have on board any iron-shod or sharp-pointed setting-pole, nor be allowed to pass a lock until all such poles shall have been given up or destroyed. Every master or owner of a boat or float violating this regulation, shall be subject to a penalty of ten dollars for each offence, to be collected by the superintendent of repairs on whose section the offence is committed; and the navigation of every mile of the canal by means of such setting-pole or other implement, machinery or agent acting on the bottom or inside slopes of the canal, or with such setting-pole on board, shall constitute a distinct offence.

Method of propelling boats not allowed.

Setting-poles prohibited.

Penalty.

83. No scow or other boat having a bow less sharp than a semi-circle, shall navigate the canal unless it shall have a semi-circular platform, the greatest width of which shall be equal to the width of the boat, firmly fastened on the bow thereof to defend and protect other boats or floats and the banks and locks of the canal, from injury by contact with either of the corners of said scow or boat; and every violation of this regulation shall subject the owner or master of the boat so offending, to the penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed: *Provided however*, That this regulation shall not be so construed as to prohibit flats or ferry boats, not exceeding 60 feet in length, to be used by proprietors of estates along the line, under such restrictions as the president and directors may impose.

Sharp headed boats not to be used.

Proviso.

84. No boat or float shall navigate the canal, or be permitted to pass any lock thereon, unless it shall have a knife or other sharp metallic instrument so affixed to its bow as to cut apart any tow-rope which might otherwise pass over it, and also shall have its rudder and keel so constructed as not to catch, interfere with or cut the tow-line of any passing boat. Every master or owner of a boat violating this

Knife on bow required.

Rudder or keel not to catch tow-lines of other boats.



regulation, shall be subject to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Strapping or  
snubbing lines  
required.

85. Every boat or float navigating the canal shall be furnished with a strapping or snubbing line, both at the bow and stern, for the purpose of checking its motion on entering the locks, so as not to injure them; and no boat or float which is not so furnished shall be allowed to enter a lock.

Cribs of rafts.

86. No raft or tow of timber passing on the canal shall consist of more than eight cribs, and whenever any shall consist of more than one crib, they shall be so united as to conform readily to the curvatures of the canal banks, and to glide by the same without rubbing against them.

Boats to have  
lights at night.

87. No boat or float shall pass along the canal at night, or be admitted into any lock at night, unless it shall have a conspicuous light fixed on the bow or forward end.

Maximum speed  
of boats.

88. No boat or float shall move on the canal at a greater speed than at the rate of four miles per hour, without special permission in writing from the president and directors, or from some officer properly authorized to grant such permission.

Boats not to  
strike each other  
on the canal.

89. No boat or float shall forcibly strike, or violently rub against any other boat, or against the banks, locks, aqueducts, inside walls, wastes or bridges of the canal.

Penalty.

90. Every violation of the provisions of either of the last three articles shall subject the master or owner of the boat or float so offending to a penalty of ten dollars, and to a liability to pay the amount of any damage which may be clearly ascertained to have resulted from such violation; and the superintendent of repairs on whose section the offence is committed, is charged with the collection of such penalty and damage.

Horses to walk  
over towing-path  
bridges.

91. No horse, mule or other animal, drawing a boat or float navigating the canal, shall pass over a towing-path bridge at any other gait than a walk; and for every violation of this provision the master or owner of the boat or float shall forfeit the sum of five dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Boat overtaking  
another.

92. Whenever any boat or float shall overtake any other boat or float on the canal, it shall be the duty of the master or manager of the latter to turn from the towing-path and slacken his towing-line, and to give to the former every practicable facility for passing, and to stop whenever it shall become necessary, until the boat or float first mentioned shall have been fully passed.

Boats meeting.

93. Whenever any boat or float, in passing along the canal, shall meet any other boat or float passing in an opposite direction, it shall be the duty of the master of each

to turn to the right hand, so as to be wholly on the right side of the centre line of the canal; and the horses or other moving power of the boat or float, which, in turning to the right as aforesaid, shall turn from the towing-path, shall be stopped, so as to allow the moving power of the other, and the boat or float itself, to pass freely over the towing-rope of the boat or float so turned from the towing-path.

94. Whenever two or more boats or floats moving in opposite directions on the canal, shall at any time approach any place where, from the contracted breadth of the canal or other cause, they cannot safely pass each other, it shall be the duty of the master of every such boat or float ascending the canal to stop at such distance from such place as will permit every such boat or float moving in the opposite direction conveniently to pass by, and there to wait until such passage is effected.

Boats meeting at narrow places.

95. Rafts shall in all cases give place to boats of all descriptions to pass between them and the towing-path.

Rafts to yield to boats.

96. Every violation of either of the last five articles shall subject the master, owner or manager of any boat or float so offending, to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Penalty.

97. Any boat or float moving on the canal, which shall have arrived within one hundred yards of any lock in which the water is on the same level with such boat or float, shall have preference in passing said lock to any boat or float (except a packet boat) having arrived at or near the lock from the opposite direction.

Boats meeting at a lock from opposite directions.

98. If on the arrival of any two or more boats or floats at or near to any lock, a question shall arise between their respective masters as to which shall be first entitled to pass, such question shall be determined by the lock-keeper or other agent of the company having charge of said lock; and each boat or float shall be passed in the order and manner in which such lock-keeper or other agent shall direct.

Boats arriving at a lock at the same time from the same direction.

99. A packet boat approaching a lock, and within one hundred and fifty yards from it, shall have preference in passing a lock to any other boat or float.

Packets to have preference.

100. Every boat or float shall be conducted into, through and out of every lock which it may pass, in a careful manner, so as not to injure such lock, and for every neglect so to conduct a boat or float, the master or owner of the same shall pay a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Boats to go through locks carefully.

101. Every boat or float navigating the canal, shall in passing a lock fasten the bow and stern-line to the snub-post on the bank of the lock until the lock is either filled

Snub-posts, &c.

or emptied, as the case may be; and the master or owner of every boat or float which shall violate this regulation shall be liable to a fine of five dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Delay in entering locks.

102. Every boat or float which shall arrive at any lock, and which shall neglect any opportunity to pass the same, shall lose its preference while there may be any other boat at the lock ready to pass in the same direction.

Delay in a lock.

103. Any unnecessary or unreasonable delay of a boat or float in a lock, or while entering or leaving a lock, shall subject the person or persons having charge of such boat or float to a penalty of five dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Where not to stop.

104. No boat or float shall unnecessarily stop, lie by, or be moored opposite to any waste weir, nor within one hundred and twenty yards of any lock, except in a basin; and every owner, master or navigator of any boat or float which shall violate this regulation, shall be subjected to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

Not to stop, &c. at a gauge dock.

105. No boat or float shall stop within, lie by, or be moored to any gauge dock, except for the purpose of being gauged, or having the weight of its cargo ascertained by the inspector having charge of said gauge dock.

Notice of mooring boat.

106. Whenever any owner, master or other person having charge of any boat or float, designs to leave the same for any length of time in any part of the canal, he shall give notice of such intention to the nearest lock-keeper, and no person or persons shall, without permission in writing from the superintendent or one of his assistants, moor a boat or float in any part of the canal for a longer period than four days at any one time, unless in a basin, or where the canal is of sufficient width for three boats to pass abreast.

Where boats to be moored.

107. Under no circumstances shall any boat or float be moored on the tow-path side of the canal except by special license from the president and directors, or from some officer properly authorized to grant such license; and in all cases, with the exception above stated, the mooring shall be on the berm side of the canal.

How boats to be moored.

108. Whenever a boat or float shall stop for the night, or lie by on account of high winds or other transient or accidental cause, or be left any length of time, the master, owner or other person having charge thereof, shall moor it securely by fastening both ends to the bank of the canal, or otherwise providing that it shall not occupy more than one third of the width of the canal.



109. Every violation of either of the last four articles shall subject the master or owner of the boat, so offending, to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed. Penalty.

110. No boat or float shall be suffered to remain loose on the canal or any of its pools or basins, without having some person on board competent to take care of it; nor shall any boat be suffered to remain sunk for twenty-four hours in the canal or in any of its pools or basins; and every boat or float, when not in use, shall be moored as directed in the 108th article. Every owner, master or navigator of a boat or float, who shall violate either of the provisions of this article, shall be subjected to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed. Boats not to float loose.  
Nor to remain sunk.  
Boats not in use shall be moored.  
Penalty.

111. Whenever a breach or other obstruction to the navigation shall occur, or when any level may be filling with water, the superintendent of repairs on that part of the line, shall have authority to direct the boats or floats which may be collected near such breach or other obstruction, or which may, in his opinion, obstruct the filling of the canal with water, to lie in such places, or so to move backward and forward on the canal, as he shall think most advisable and proper, and a refusal to comply promptly with his directions in this respect, shall subject the owner or master, or person having charge of any boat or float, to a penalty of ten dollars, to be collected by the superintendent of repairs on whose section the offence is committed. Superintendent to direct in case of breach.

112. Whenever disputes shall arise concerning berths, between boats or floats while loading or unloading at any landing place, it shall be the duty of the toll-gatherer, inspector, or superintendent of repairs, who may be at or near-est to said place, to assign berths to said boats or floats. Berths to be assigned.

113. Whenever any superintendent or lock-keeper shall find any boat or float moored or fastened in any manner to the tow-path side of the canal without proper authority; or so moored or fastened in the canal, or to the berm side thereof, that any part of such boat or float shall be at a greater distance from the berm bank than one third of the width of the then water surface of the canal, he shall forthwith direct the person or persons in charge of it to prevent its continuing so to lie, and if the person or persons in charge of such boat or float shall refuse or neglect to remove the same, he or they shall in addition to the liability incurred according to the 108th and 109th articles, be subject to a further penalty of eight dollars, to be collected by the superintendent of repairs on whose section the offence is committed. But if no person be found on board or near Boats improperly moored.

at hand in charge of such boat or float, the superintendent or lock-keeper shall cause it to be removed and secured at some point as little distant from the nearest lock-house as, conveniently and in conformity with these regulations, it may be; and the owner or master thereof on taking repossession of such boat or float shall be liable to a charge for the expense of removing and securing it, to be collected by the said superintendent of repairs.

114. Every person using the canal, who shall obstruct the navigation of the same by the improper management or conduct of any boat or float, or by sinking any vessel, timber, stone, earth, or other thing to the bottom thereof; or by placing any obstruction on the towing-path thereof, or on the bank opposite the towing-path, shall forfeit the sum of eighteen dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

115. No person navigating the canal shall without permission in writing from the superintendent of repairs on that section, roll or draw from or into the canal or its basins or feeders, or over the side of any lock, aqueduct or any other structure of masonry, or over the side of any embankment on the canal or its basins or feeders, any log, timber, or other heavy material, under a penalty for every violation of this regulation, of ten dollars, to be collected by the superintendent of repairs on said section.

116. No person navigating the canal shall throw or discharge into the canal, or into any basin or feeder connected therewith, any carcass, dead animal, putrid substance, or filth of any kind. And a breach of this regulation shall subject the offender to a fine of five dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

117. No person or persons, except the lock-keeper or hands in his employ, shall be permitted to open either of the larger gates of a lock, or the wickets or valves, without permission of the lock-keeper or of one of the hands in his employ; and every person navigating the canal who shall violate this regulation, shall be liable to a fine of five dollars, to be collected by the superintendent of repairs on whose section the offence is committed.

#### OFFICERS.

118. The officers connected with the management and preservation of the canal and collection of tolls thereon, shall be as follows:

1. Superintendents of repairs.
2. Lock-keepers.
3. Toll-gatherers.
4. Inspectors.

Other obstructions.

Logs not to be rolled into canal.

Filth not to be put into canal.

Opening lock-gates or puddle-gates.

Titles of officers.

## GENERAL REGULATIONS.

119. The officers connected with the management and preservation of the canal and the collection of tolls thereon, like the officers and agents on the old improvements, shall be appointed by the president and directors annually (except in cases of vacancy by death, removal, or otherwise) on or about the first of January, and shall continue in office for one year, terminating on the 31st December, unless sooner removed by the president and directors, or by the president, or unless otherwise provided by law, or by some special regulation of the president and directors; and in case of the annual appointment not being made, the said officers shall continue in office until an appointment shall be made.

Officers when appointed.

Term of office.

120. The salaries of such officers shall be fixed by the president and directors; and they shall be removable from office by the president and directors, or by the president.

Salaries.

121. They shall give their personal and constant attention to the duties of their respective offices, and shall not be directly or indirectly concerned in any store, shop, or other trading establishment for the purchase or sale of spirits, produce, merchandize, or property of any description, on or near the line of the canal, or have any other employment or occupation without the special permission of the president and directors, under the penalty of being dismissed from office.

Officers to have no other occupation.

122. It shall be their duty to preserve and take care of all books, papers, vouchers, maps, documents, instruments and other things, the property of the company which may come into their possession; and every officer or agent leaving the service of the company shall surrender up and deliver over to his successor, or other person duly authorized to receive the same, all the books, papers, vouchers, maps, documents and instruments pertaining to his office, and all other things whatever, the property of the company, which may be in his control. And all such officers and agents who are not required by these regulations to give official bonds, and who shall violate this regulation, shall be liable to a penalty of one hundred dollars.

Officers to take care of company's property.

Penalty.

123. Such officers shall use their utmost exertions to put down all tippling and other disorderly and disreputable trading shops in the neighbourhood of the canal, and be required to give information of any such within their knowledge to the respective county courts within whose jurisdiction they may be located. They shall, by all lawful means within their reach, prevent wanton or wilful injuries to the canal, roads, bridges or other works or property of the company, and shall take immediate steps on behalf of

Officers to suppress disorderly conduct.

And prevent injury to works.



the company to have the perpetrators of such injuries as may be committed, subjected to the legal penalties and liabilities; and they shall report to the president and directors the names and offences of such offenders.

Officers shall not be interested in contracts with the company.

124. No officer on the canal shall either directly or indirectly be interested in any contract for labour, materials, provisions, implements or other thing connected with the construction, repairs or expenses of the canal or its appurtenant works; and no officer shall either directly or indirectly derive any benefit from the annual expenditures on the canal beyond his established compensation.

#### SUPERINTENDENTS OF REPAIRS.

Sections of canal.  
Superintendents of repairs.

Their residence.

General duties.

125. The canal shall be divided into such sections as the president and directors may think advisable; on each of which sections there shall be a superintendent of repairs, who shall reside at such point within the limits of his section as the said president and directors may designate.

126. It shall be the duty of each superintendent of repairs to superintend and direct the necessary repairs on his section of the canal, and to do every thing in his power to preserve said canal, and the works connected therewith, from injury, and to keep them in a good state and condition, for which purpose he shall be allowed such overseers, removable at his pleasure, each with such a force of labourers employed by the year or otherwise, and governed by such regulations, as the president and directors may prescribe; and he is particularly charged with the duty of seeing that the overseers, foremen and labourers under his charge shall be diligent and faithful in the performance of their respective duties to the company.

To have charge of the company's property.

127. He shall have charge of all the tools, implements, carriages and other personal property of the company on his section, and shall cause all such property not in use to be kept in a place of safety; and at the close of each quarter shall return to the office of the company, to be placed on file, an inventory of all such property under his charge.

To make certain contracts.

128. He shall make such contracts for labour, provisions, materials and implements, and under such regulations as the president and directors may deem proper, and report the same to their next stated meeting.

Shall visit whole line twice a month.

129. He shall visit the whole length of his section twice in every month, and keep the president constantly informed by letter and oral communication, of the state and condition of the line, and of all other matters under his superintendence, and at the close of each quarter, and oftener if required, he shall make report to the president, to be laid before the board, of the state and condition of the canal

Shall report to the president.

and its appurtenant works, as also of the houses and enclosures of the lock-keepers, including in such report what injuries the canal has sustained or is likely to sustain, and the causes thereof, what measures he may have taken to remedy or prevent such injuries, what improvements he may think necessary, what depredations may have been committed on the canal or its works or other property of the company, and such other information as he may consider important to its interests.

130. On the occurrence, on his section, of any breach in the canal, or other injury to the works, suspending the navigation, he shall immediately proceed to the same, remain thereat, and superintend the repairs thereof, until the navigation shall be restored. He shall also, as soon as practicable, and from time to time as he may be able, report to the president, in writing, the occurrence of such breach or other injury, with the place, time, causes, extent and description thereof, the means adopted or proposed to be adopted by him for repairing the same, the time which will probably be occupied by such repairs, their probable cost, and all other information in his power relative to the subject, which may be useful or interesting. He shall also apprise the several toll-gatherers of such breach or other injury, and of the time at which the navigation will probably be restored.

Personal attendance at repairs, when required.

Special reports to president.

Information to toll-gatherers.

131. Within the limits of his section he shall superintend and direct the lock-keepers in the performance of their duties, and report the misconduct of any lock-keeper to the president and directors; and should he deem it necessary he may remove any lock-keeper and fill the vacancy thereby created, until the next meeting of the president and directors, at which time he shall report such removal and temporary appointment, with his reasons therefor and the facts of the case, to the said president and directors.

Shall superintend lock-keepers.

May remove lock-keepers.

132. Except in cases of great emergency requiring his presence on the line, he shall be in attendance at the office of the company at every stated meeting of the president and directors.

Shall be at office of the company at meetings of the board.

133. He is charged with the duty of prosecuting in the proper courts, when necessary, for the collection of the penalties and forfeitures prescribed by articles 82, 83, 84, 90, 91, 96, 100, 101, 103, 104, 109, 110, 111, 113, 114, 115, 116 and 117 of these regulations, incurred on his section, and he shall deposit once a month to the credit of the company, in the Bank of Virginia, or one of its branches, the amount received by him for such penalties and forfeitures.

Shall prosecute for certain penalties.

134. All accounts for labour, provisions, materials and implements on his section, shall be certified by him as correct and necessary, and presented by him to the stated meetings

Shall certify and pay accounts in his department.

of the president and directors, and when such accounts shall be allowed, he shall receive the warrants issued therefor, pay said accounts, and return proper receipts for the same to the office of the company; and under no circumstances whatever shall the said superintendent take a receipt for labour done, services performed, or materials, provisions or implements purchased for the company, unless the money for the same shall have been actually paid.

Not to take receipts unless for money paid.

Shall not employ members of his family.

135. A superintendent of repairs shall not, without special permission from the president and directors, employ the members of his family on the canal, or furnish any teams, carriages, boats, implements, materials, provisions or other things for the canal, or employ any teams, carriages or boats, or purchase any implements, materials or provisions owned by the members of his family, or by any foreman or lock-keeper on the canal; and no foreman on the canal, without such permission, shall himself furnish any teams, carriage, boat, implement, materials, provisions or other thing for the canal, nor employ or contract for the same when owned by any members of his family or by any lock-keeper.

Other duties to be assigned.

136. The superintendents of repairs shall perform such other duties in addition to those already enumerated, as the president and directors shall from time to time assign to them.

Official bond.

137. Before entering on the duties of his office, he shall give bond, with one or more approved sureties, in the penalty of three thousand dollars, conditioned for the faithful performance of his duties, and for the faithful account and payment of all moneys of the company which shall come into his hands.

#### LOCK-KEEPERS.

Extent of term lock-keeper.

138. The term lock-keeper, when used in these regulations without any qualifying word or words, shall be held to include the keepers of all locks, whether clearance locks or others, on or appurtenant to the canal.

Lock-keepers to examine works, and prevent injury to them.

139. It shall be the duty of all lock-keepers to make a daily and particular examination of the locks under their charge, and of any other works which they may be directed by order of the president and directors to attend to, and to prevent by all lawful means in their power, any injury to said locks or other works, from the carelessness of the boatmen, or from malicious or disorderly persons.

Shall keep locks in good order.

140. They shall use their utmost exertions to keep the said locks or other works in the best possible order, and in case of any accident or injury to them, or to the canal in the vicinity of their stations, requiring immediate attention, they shall take the necessary measures to remedy the same,



and to prevent further injury, and in the mean time to send the earliest intelligence thereof to the superintendent of repairs on that part of the canal.

141. It shall be their duty at all hours by night as well as by day, unless otherwise ordered by the president and directors, to pass all boats and floats presenting themselves at their locks, and entitled to pass the same, agreeably to the various provisions in these regulations relative to the passage of such boats or floats through said locks. Shall pass boats at all hours.

142. They shall not permit the boatmen to pass themselves through any lock except in the presence and under the direction of the keeper thereof or his assistant. Shall not permit boatmen to pass boats.

143. The able-bodied hands which the keepers of combined or neighbouring locks may be required to provide, shall, in addition to working the locks, perform such other necessary labour thereat, and in the immediate neighbourhood thereof, as the sudden exigencies of the canal may require in the absence of the superintendent of repairs on that part of the line, or of the labourers hired by the company. Their assistants shall do other necessary labour.

144. The lock-keepers shall not absent themselves from their locks on any occasion, without leave from the superintendent of repairs on that part of the canal. And unless otherwise authorized by the company, shall reside in the houses provided for them at their respective stations; and they shall be charged with the care and preservation of their respective houses, and of the enclosures attached thereto. They shall not quit their posts. Shall reside at locks.

145. Where the locks are situated within the limits of cultivated farms, the lock-keepers shall not permit their domestic animals to run at large so as to injure the crops on said farms. Shall not keep destructive domestic animals.

146. Any lock-keeper who shall knowingly permit a boat or float to pass his locks in violation of any provision of these regulations, shall be forthwith dismissed from the service of the company by the president, or by the superintendent of repairs on that part of the canal, on their becoming cognizant of the fact, and he shall be deemed to have forfeited all compensation for his services since the last quarter day. Penalty for violating regulations.

147. Every lock-keeper shall perform such other duties connected with the canal, as the president and directors may require of him from time to time. Shall perform other duties to be assigned.

#### TOLL-GATHERERS.

148. There shall be toll-gatherers at Richmond and Lynchburg, and at such other points on the line as the president and directors may from time to time designate for the purpose. Number and stations of toll-gatherers.

Shall collect  
tolls.

And grant clear-  
ances and per-  
mits.

Shall prosecute  
for penalties in  
certain cases.

Shall be *ex officio*  
inspectors.

Shall employ  
clerks.

And be responsi-  
ble for their acts.

Toll office to be  
office of inspec-  
tor.

Toll-gatherer  
shall refuse  
clearances until  
satisfaction for  
injuries to the  
company's prop-  
erty be made.

Shall report mis-  
conduct of lock-  
keepers and  
other agents.

Shall perform  
extra duties to  
be assigned.

149. The several toll-gatherers shall collect the tolls to which the company may be entitled on the tonnage and travel on the canal, at their respective offices, according to the tariff of tolls which may be established; grant clearances, permits, and other official papers; keep their accounts in such form as may be directed by the president and directors; and perform all other official acts connected with the duties of their offices, which are or may be prescribed by the regulations of the company, or by order of the president and directors.

150. They shall prosecute in the proper courts, where necessary, for the collection of the penalties and forfeitures prescribed by articles 8, 17, 29, 30, 33, 34, 35, 48, 52, 66 and 71 of these regulations.

151. They shall be *ex officio* inspectors of canal boats and their cargoes, and shall perform all the duties of inspectors, except at places where separate inspectors shall be appointed; and at such places they shall aid the said inspectors in the discharge of their duties, and see that they perform such duties faithfully and efficiently.

152. To aid the toll-gatherers in discharging the duties of their offices, each of said officers shall employ one or more competent clerks, as may be required by the president and directors, at such rate of compensation as they may allow, and upon employing such clerk or clerks, he shall immediately make report thereof to the president and directors, whereupon such clerk or clerks shall during his necessary absence, perform all the duties and exercise all the powers appertaining to his office, and he shall be responsible for their official acts.

153. The office of the toll-gatherer at a place where there is a separate inspector, shall be the office of the inspector, unless otherwise provided by the president and directors.

154. If the crew of any boat or float shall be guilty of any violence or disorderly conduct on the canal, or on a basin or pool attached thereto, or on the company's grounds, injurious to the interests of the company, it shall be the duty of any toll-gatherer cognizant of the fact to withhold a clearance or permit from such boat or float until reasonable satisfaction for such injury be made.

155. Every toll-gatherer shall report to the president and directors any gross neglect or misconduct of any of the lock-keepers or other agents of the company on the line of the canal, which shall come within his knowledge.

156. The several toll-gatherers shall execute such extra duties relating to the affairs of the canal, although unconnected with their offices, as may be enjoined on them by the president and directors.

157. They shall each be provided with an office, and the necessary books, forms, blanks, stationery and fuel therefor. Office, &c. to be found.

158. Previous to entering on the duties of their offices, each toll-gatherer shall give bond with one or more approved sureties, in the penalty of five thousand dollars, conditioned for the faithful performance of the duties which have been or shall be enjoined on him by the regulations of the company, and for the faithful accounting for, and payment of all moneys of the company which may come to his hands. Official bond.

#### INSPECTORS.

159. There shall be a separate inspector at the toll-gatherer's office at Richmond, and at the toll-gatherer's office at Lynchburg, and inspectors at such other points as the president and directors may, from time to time, deem to be required by the augmentation of the tonnage of the line; and such inspector, if at a toll-gatherer's office, shall be subordinate to said toll-gatherer. Number and stations of inspectors.

160. He shall have such assistants or labourers at the expense of the company, as may be necessary to aid him in the discharge of his duties, whenever the president and directors may think the state of the trade shall require it. Assistants allowed.

161. It shall be the duty of every inspector on the canal, and he is hereby enjoined, carefully to examine and inspect the cargo of every boat or float applying for a clearance, or passing by his office, with a view of ascertaining whether said cargo and its several parts agree with the bill or bills of lading, clearance or other paper or papers exhibited to him, purporting to describe the same, of detecting any fraud on the revenue, and generally of seeing that the regulations for the management of boats and their cargoes coming properly under his notice are duly complied with. Shall inspect cargoes.

162. He shall have charge of any gauge dock established at or near his office, and shall perform the duties of gauging boats or ascertaining the weights of their cargoes at such gauge dock, whenever they may be prescribed in the regulations aforesaid, or by order of the president and directors. Shall keep gauge dock.

163. He shall keep such registers and accounts, and make such reports at such times and in such forms as are or shall be required by the regulations of the company, or may be ordered by the president and directors. Shall keep accounts, &c. in prescribed form.

164. He shall perform such other extra services as the president and directors may from time to time require. Other duties to be prescribed.



5 Pounds more 4000 = 3000 = 1000  
 Annual premium 1000 per ten per cent = 2000  
 Say 2000 for 5000 = 1000 as 5000  
 33 5.5 say 5000 per ten per cent

# TARIFF OF TOLLS

PER TON OF 2000 POUNDS PER MILE,

TO BE CHARGED ON

## THE JAMES RIVER AND KANAWHA CANAL.

[With the alterations up to the 1st October 1846.]

### ARTICLES AT 4 CENTS PER TON PER MILE.

Agricultural implements,	Fruits, (foreign, not otherwise designated,)	Paper,
Anvils,	Furs and Peltry,	Pork, salted and fresh,
Ale,	Glass and Glassware,	Powder,
Ashes, pot and pearl,	Ginseng,	Poultry and Eggs,
Bacon,	Groceries, not otherwise designated,	Putty,
Beans,	Hardware,	Peas and Beans,
Beef, salt and fresh,	Hats, Caps, &c.	Porter,
Beeswax,	Hair, Curled,	Queens Ware,
Bellows,	Hemp and Flax,	Raisins,
Books,	Hempen Yarns,	Rice,
Butter,	Hides and Skins, (dry and green,)	Saddlery,
Beer,	Honey,	Salt Petre,
Burr Blocks,	Hops and Herbs,	Snake Root,
Candles,	Joiners' Work,	Stationery,
Carriages,	Lard,	Steam Engines,
Crackers,	Leather,	Steel,
Cheese,	Lemons,	Spices,
Coffee,	Liquorice,	Shoes and Boots,
Confectionary,	Liquors, not otherwise designated,	Soap,
Copper,	Live Stock,	Shot,
Cordage,	Mackerel,	Sugar,
Cotton, Cotton Yarns and Cotton Bagging,	Machinery, not otherwise designated,	Shad,
Cutlery,	Mechanics' Tools,	Seed of all kinds,
Copperas,	Metals, not otherwise designated,	Segars,
China,	Mill Stones,	Snuff,
Cider,	Mutton,	Spirits Turpentine,
Chalk,	Nails and Spikes,	Sulphur,
Dye Stuffs,	Oils of all kinds,	Salmon,
Dry Goods,	Oranges,	Teas,
Drugs,	Oysters not in the shell,	Tin and Tin Ware,
Earthen and Queens Ware,	Paints,	Tallow,
Eggs,		Venison,
Fancy Articles,		Vices,
Feathers,		Wood Ware,
Flax,		Wool,
Furniture, (Household,)		Wrapping Paper,
		Zink.

## ARTICLES AT 3 CENTS PER TON PER MILE.

Bar Iron,	Iron Castings,	Moss,
Barley,	Logwood,	Potters' Ware,
Charcoal,	Lead, (pig and bar,)	Stone Ware,
Fish, not otherwise designated,	Mahogany,	Tobacco of all kinds,
	Molasses,	Vinegar.

## ARTICLES AT 2 CENTS PER TON PER MILE.

Agricultural Products, not otherwise designated,	Flour and Wheat,	Salt,
Apples and other domestic fruits, green or dried,	Fodder,	Straw, Shucks, &c.
Barrels, empty,	Grindstones,	Stone, dressed,
Bran and other mill offal,	Hay,	Shorts,
Buckwheat and Buckwheat Flour,	Marble, dressed,	Ship Stuff,
Bark, ground and unground,	Oats,	Tar,
Casks and Boxes, empty,	Oysters in the shell,	Tobacco Stems,
Corn and Corn Meal,	Pitch,	Turpentine,
Cotton Waste and Rags,	Potatoes of all kinds,	Turnips and other Vegeta- bles,
	Rags,	Vegetables.
	Rosin,	
	Rye,	

## ARTICLES AT 1 CENT PER TON PER MILE.

Scrap Iron and Old Castings.

## ARTICLES AT 1 CENT PER TON PER MILE.

Bricks,	Iron Ore,	Rails for fencing,
Coal and Coke passing down Canal,	Laths,	Staves,
Cement,	Marble, rough,	Shingles,
Headings,	Pig Iron,	Slate for roofing,
Hoop Poles,	Posts for fencing,	Timber of all kinds,
		Tiles for roofing.

ARTICLES AT  $\frac{1}{2}$  CENT PER TON PER MILE.

Clay,	Gravel,	Mineral Waters,
Coal and Coke passing up Canal,	Gypsum or Plaster,	Oyster shells,
Earth,	Lime and Limestone,	Plaster,
	Manure,	Stone, rough.

Sand, for all distances, 5 cents per ton.

Wood for fuel, for all distances,  $12\frac{1}{2}$  cents per cord.

All articles transported only on the lower level of the canal, will be charged with one-half the tolls charged on the old canal, except in cases provided for by special resolution of the board of directors.

## TOLLS ON PASSENGERS.

On white persons 12 years old and upwards,	-	-	-	1 cent per mile.
Do do. between 12 and 5 years old,	-	-	-	$\frac{1}{2}$ " "
On coloured persons 5 years old and upwards,	-	-	-	$\frac{1}{2}$ " "

On all articles except Coal, Mill Offal, Manure, Sand, and Wood for fuel, transported on any portion of the enlarged old canal, (between Richmond and Maiden's Adventure,) the tolls shall be equal at least to those charged on the old canal.



## TOLLS ON THE OLD CANAL.

	\$	C.	M.
On every hogshead of Tobacco, - - - - -	1	0	0
On every hogshead of Tobacco Stems, - - - - -		25	0
On every hogshead of Rum, Wine or French Brandy, - - - - -	1	0	0
On every hogshead containing other Liquids, - - - - -		50	0
On all barrels and casks containing Spirits, Wines and other Liquids, in proportion to quantity, as above.			
On every barrel of Flour, - - - - -		10	4
On every barrel of Pork, Beef or Fish, - - - - -		12	5
On every ton of Hemp, Flax, Bar Iron, Castings, Lead or Zinc, - - - - -	1	50	0
On every ton of Pig Iron, - - - - -		50	0
On every ton of Shucks, Straw, Hay, Fodder or Oats, - - - - -		25	0
On every ton of Stone, Manure, Bricks, Plaster, Lime, Oyster Shells or Sand, - - - - -		12	5
On every sack of Salt, - - - - -		6	2½
On every bushel of Wheat, - - - - -		1	6
On all other articles commonly sold by the bushel, - - - - -		1	5
On every cord of Wood or Bark, - - - - -		12	5
On every thousand Staves, Heading, Shingles, Boards or Bolts, - - - - -		25	0
On every thousand Laths or Hoop Poles, - - - - -		12	5
On every thousand feet of Plank or Scantling, - - - - -		35	0
All articles not enumerated, shall pay by the hundred weight, - - - - -		6	2½
One large empty Boat, - - - - -	1	0	0
One empty Batteau, - - - - -		50	0

## TABLE OF DISTANCES

ON THE

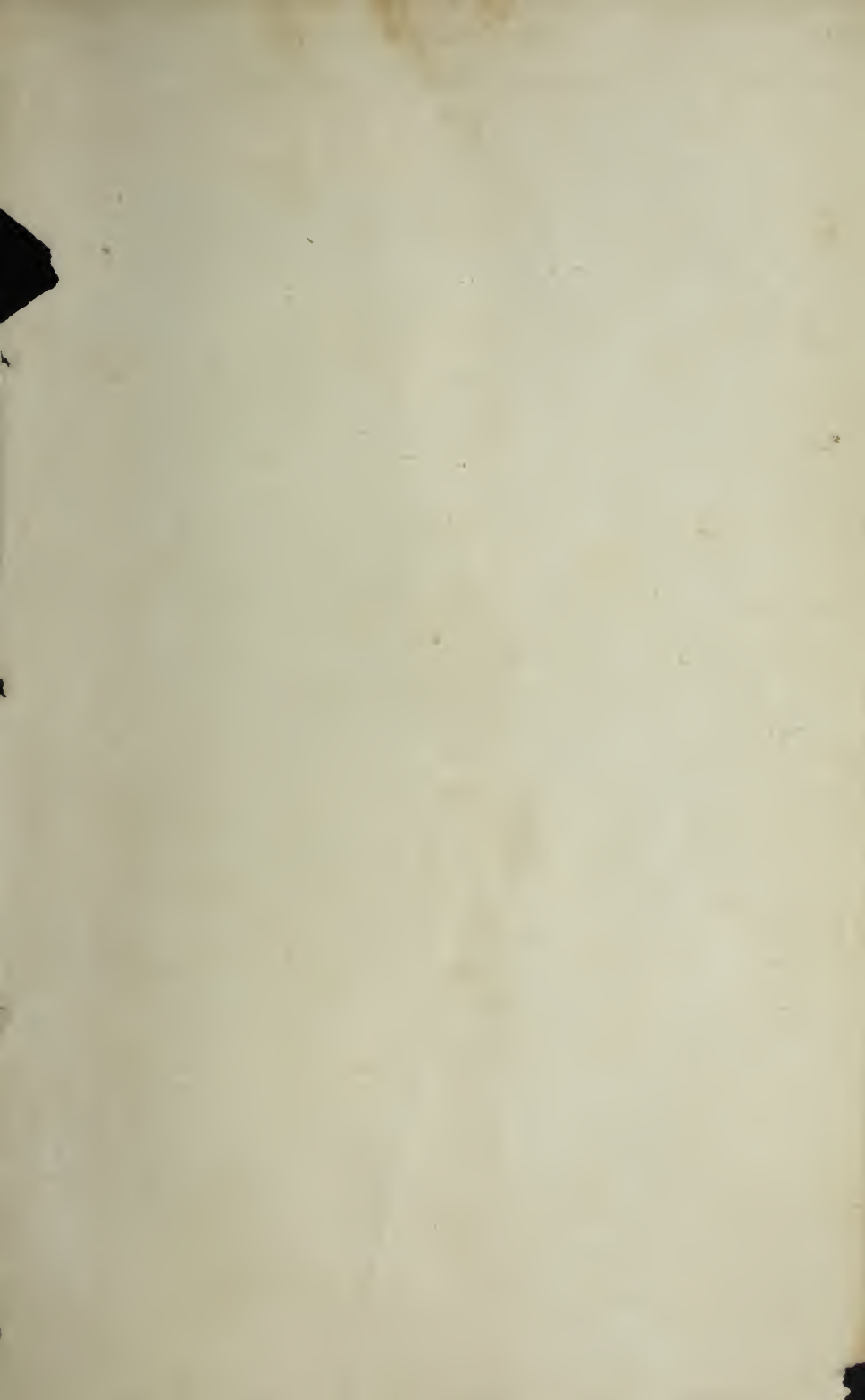
## JAMES RIVER AND KANAWHA CANAL.

		Distance from Richmond.	Distance from Lynchburg.
Richmond,	- - - - -	0	146
Rutherford's Mills,	- - - - -	2	144
Locks No. 1 and 2,	T. Ritchie, - - - - -	3	143
	Abigail Mayo's estate, - - - - -	4	142
	A. Hutchison, Wm. H. Richardson, - - - - -	5	141
Lock No. 3,	Westham, - - - - -	5 $\frac{1}{2}$	140 $\frac{1}{2}$
	Wm. Anderson, J. Alley, - - - - -	6	140
	N. McCoull, R. Henderson, - - - - -	6	140
	Reins's Island, - - - - -	6	140
	Read & Sims, - - - - -	7	139
	J. H. Jennings, - - - - -	8 $\frac{1}{2}$	137 $\frac{1}{2}$
	J. Ambler, - - - - -	9	137
Locks No. 4 and G,	Bosher's Dam, - - - - -	9 $\frac{1}{2}$	136 $\frac{1}{2}$
Locks No. 5 and 6,	- - - - -	9 $\frac{1}{2}$	136 $\frac{1}{2}$
	John Wickham, lower estate, - - - - -	11	135
	John Wickham, upper estate, - - - - -	12	134
	Tuckahoe Railroad Basin, - - - - -	12	134
	Tuckahoe Aqueduct, - - - - -	12 $\frac{1}{2}$	133 $\frac{1}{2}$
	T. M. Randolph, H. Wight, - - - - -	13	133
	W. Powell, - - - - -	14 $\frac{1}{2}$	131 $\frac{1}{2}$
	Judge John Robertson, - - - - -	15	131
	W. E. Harris, - - - - -	16	130
	Manakin Town Ferry Road, - - - - -	16 $\frac{1}{2}$	129 $\frac{1}{2}$
	Dover Pits, Anderson & Moody, - - - - -	17	129
	W. Shelton, Richard Sampson, - - - - -	18	128
	N. & L. M. Watkins, - - - - -	19	127
	Dover Mills and Aqueduct, - - - - -	20	126
	J. S. Watkins, J. M. Trevillian, - - - - -	20	126
	B. F. Carter, - - - - -	21	125
	James M. Morson, - - - - -	21 $\frac{1}{2}$	124 $\frac{1}{2}$
	Jude's Ferry Road, - - - - -	22	124
	J. Trent's estate, - - - - -	22 $\frac{1}{2}$	123 $\frac{1}{2}$
	James Pleasants, A. Pleasants, - - - - -	25	121
	Ro. W. Pleasants, - - - - -	26	120
	Beaver Dam Aqueduct, - - - - -	26 $\frac{1}{2}$	119 $\frac{1}{2}$
	Corbin Warwick, J. B. Pleasants, - - - - -	27	119
	Maiden's Adventure Dam, - - - - -	27 $\frac{1}{2}$	118 $\frac{1}{2}$
	J. Archer, - - - - -	28	118
	Charles Pope, - - - - -	29	117
	Michaux's Ferry, - - - - -	30 $\frac{1}{2}$	115 $\frac{1}{2}$
	Dr. Harris, W. Meredith, - - - - -	31	115
Locks No. 7 and 8,	Junction of Canal and River, - - - - -	32 $\frac{1}{2}$	113 $\frac{1}{2}$
	Cedar Point, - - - - -	32 $\frac{1}{2}$	113 $\frac{1}{2}$
	Ro. Stanard, - - - - -	33	113

				Distance from Richmond.	Distance from Lynchburg.
Lock No. 9,	Lickinghole Aqueduct, M. Selden,	-	-	34	112
	W. Bolling,	-	-	35	111
	J. Weisiger,	-	-	36	110
Lock No. 10,	-	-	-	37½	108½
	J. Watkins,	-	-	38	108
	J. Watkins's Mills, G. W. Payne,	-	-	39	107
	Jefferson Ferry Road,	-	-	39	107
	J. Rutherford,	-	-	40	106
Lock No. 11,	J. S. Smith,	-	-	42	104
	Tarleton Fleming,	-	-	43	103
	Thomas Bolling,	-	-	44	102
	G. C. Pickett's estate,	-	-	45	101
	J. Pemberton,	-	-	46	100
Lock No. 12,	Near Cartersville Road,	-	-	46½	99½
	Richard G. Haden,	-	-	47½	98½
Lock No. 13,	-	-	-	49	97
	E. Turpin, O. Johnson,	-	-	50	96
	Randolph Harrison,	-	-	51	95
	Louisa G. Allan,	-	-	54	92
Lock No. 14,	-	-	-	54½	91½
	John Allan's estate,	-	-	55	91
	Columbia Ferry Road Bridge,	-	-	56½	89½
	James Galt,	-	-	58	88
Lock No. 15,	-	-	-	61½	84½
	William Galt,	-	-	62	84
Lock No. 16,	-	-	-	63½	82½
	Wm. Woodson, J. W. Toney,	-	-	64	82
	New Canton, G. Holeman,	-	-	66	80
Lock No. 17,	-	-	-	66½	79½
	C. C. Cocke, J. H. Cocke, Jr.	-	-	67	79
	J. H. Cocke,	-	-	68	78
	J. M. Johnson, Middleton Mills,	-	-	70	76
Lock No. 18, G,	-	-	-	70½	75½
Lock No. 19,	W. Shore, J. Stratton,	-	-	71	75
	Martin Tutwiler,	-	-	72	74
Lock No. 20,	-	-	-	72½	73½
Lock No. 21,	G. L. Seay, T. Gilmer's estate,	-	-	73	73
	H. Ware, E. Herndon,	-	-	74	72
	A. C. Omohundro, W. C. Adams,	-	-	75	71
	W. C. Adams, upper estate, W. Adams,	-	-	76	70
Lock No. 22,	J. Conolly,	-	-	77	69
	Scottsville, B. Staples,	-	-	79	67
Lock No. 23,	C. H. Harrison or Burton,	-	-	80	66
	J. W. Gant,	-	-	81	65
Lock No. 24,	-	-	-	82½	63½
	J. B. Glover,	-	-	83	63
Lock No. 25,	Warren, J. Cowles, W. Brown,	-	-	85	61
	Ro. Rives,	-	-	85½	60½
Lock No. 26,	-	-	-	86½	59½
	N. Goolsby,	-	-	87	59
	J. Jopling, Geo. Booker,	-	-	88	58
Lock No. 27,	Mrs. E. Johnson,	-	-	89	57
	J. Fowles,	-	-	90	56
Lock No. 28,	Rockfish Aqueduct, Howardsville,	-	-	90½	55½
	W. H. Carter, H. Lewis,	-	-	91	55
	S. Jones,	-	-	94	52
Lock No. 29,	-	-	-	95	51
Lock No. 30,	F. W. S. Turner,	-	-	97	49
	Warminster, J. C. Cabell's lower farm,	-	-	98½	47½
	N. F. Cabell,	-	-	99	47



		Distance from Richmond.	Distance from Lynchburg.
Lock No. 31,	- - - - -	99½	46½
	J. T. Smith, J. C. Cabell's upper farm,	101	45
Lock No. 32,	Daniel Higginbotham, Hardwicksville,	103	43
	Mayo Cabell,	105	41
	J. S. M'Clelland,	106	40
	M. M'Clelland,	107	39
	New Market, Tye River,	107½	38½
	W. Daniel, Jr.	109	37
	Head slackwater,	109½	36½
	J. S. M'Clelland, N. Loughborough,	110	36
Lock No. 35,	F. M. Cabell,	111	35
Lock No. 36,	- - - - -	112½	33½
	Greenway, W. Horseley,	113	33
Lock No. 37,	- - - - -	115	31
	W. Wright,	116	30
Lock No. 38,	Opposite Bent Creek,	116½	29½
	W. Horseley,	118	28
Lock No. 39,	- - - - -	118½	27½
	Elk Creek Mills,	119½	26½
	J. Munday,	121	25
Lock No. 40,	- - - - -	121½	24½
Lock No. 41,	- - - - -	122	24
	W. Dillard,	123	23
	D. Christian, deceased,	124	22
Lock No. 42,	J. W. Walker, B. P. Walker,	125	21
	H. Watts's heirs,	126	20
Lock No. 43,	J. Dillard's heirs, P. Munday,	127	19
	S. B. Turner,	128	18
	J. Dillard,	129	17
Lock No. 44,	D. Staples,	129½	16½
	Staples's Mills,	130½	15½
Lock No. 45,	- - - - -	131½	14½
	W. Warwick, deceased,	132	14
	Joel Flood,	133	13
	Joshua Falls Dam,	134	12
	R. Bolling,	135	11
	Head of Pond,	136	10
Lock No. 46 and 47,	Crossing of James River,	136	10
Lock No. 48,	- - - - -	136½	9½
Lock No. 49,	- - - - -	139½	6½
	John Robertson,	140	6
Lock No. 50,	J. B. Cabell,	140½	5½
	A. Duke,	143	3
Lock No. 51,	- - - - -	144	2
	Lynchburg Basin,	146	0
	Lynchburg Water Works Dam,	147	1





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